

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$187,891 IN UNITED STATES
CURRENCY,

Defendant.

8:22-CV-233

ORDER AND DECREE OF
FORFEITURE

This matter is before the Court on the parties' Settlement Stipulation ([filing 18](#)). The stipulation will be approved.

A Complaint for Forfeiture *In Rem* ([filing 1](#)) was filed on June 29, 2022 as to \$187,891 in United States Currency. A Warrant for Arrest *In Rem* ([filing 4](#)) was issued and properly served on the by the United States Marshals Service. See [filing 7](#); [filing 8](#). Publication of the notice of this action and of the arrest of the defendant property was made pursuant to an order entered by the United States Magistrate Judge on December 3. [Filing 6](#). A claim was filed by claimant Michael Sasgen on July 26, 2022 ([filing 10](#)) and a motion to dismiss was filed by the claimant on August 15, 2022 ([filing 11](#)).

As directed by the Magistrate Judge's order ([filing 6](#)), a Notice of Forfeiture was posted beginning on June 30, 2022, on an official Internet government forfeiture site, www.forfeiture.gov, for at least 30 consecutive days, as required by [Supp. Admiralty and Maritime Claims R. G\(4\)\(a\)\(iii\)\(B\)](#). A declaration of publication ([filing 13](#)) was filed on August 29, and from a review of the Court file the Court finds no claims have been made other than that of the claimant, Michael Sasgen.

The government and the claimant have stipulated ([filing 18](#)) that \$140,000 of the defendant property shall be forfeited to the government, and \$47,891 shall be returned to the claimant. On those terms, the parties' Joint Motion for Judgment and Decree of Forfeiture ([filing 18](#)) will be granted.

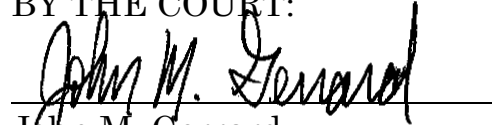
IT IS ORDERED:

1. The Settlement Stipulation ([filing 18](#)) is approved.
2. \$47,891 of the defendant property shall be released to the claimant, Michael Sasgen. Payment will be tendered to the trust account of the claimant's attorney, John S. Berry.
3. Counsel for the claimant is directed to provide, to the Office of the United States Attorney for the District of Nebraska, any information necessary for the transfer of funds to the claimant's attorney, and to file a receipt of funds after receipt of the \$47,891.
4. All right, title, or interest in or to the remaining \$140,000 held by any person or entity are forever barred and foreclosed.
5. The remaining \$140,000 is forfeited to the plaintiff and shall be disposed of by the plaintiff in accordance with law.
6. When the claimant's receipt of funds is filed, the parties shall file a joint stipulation for dismissal, or other dispositive stipulation, which will fully dispose of the case.

7. The Clerk of the Court shall set a dismissal papers deadline for January 5, 2023.
8. The claimant's motion to dismiss ([filing 11](#)) is denied as moot.
9. The plaintiff and the claimant shall pay their own costs and attorney's fees associated with this lawsuit.

Dated this 6th day of December, 2022.

BY THE COURT:



John M. Gerrard
United States District Judge